

1 BILL NO. R-79-03-34

2 RESOLUTION NO. R-

61-79

3 A RESOLUTION of the Common Council
4 setting forth the policy of the City
5 in regard to the annexation of K-Mart
6 West.

7 WHEREAS, the annexation of territory to the City is a legislative
8 function; and

9 WHEREAS, the Common Council is called upon in the preparation of
10 the City budget to provide for the furnishing of municipal services to the
11 entire City, including newly annexed areas; and

12 WHEREAS, the Common Council desires that newly annexed areas receive
13 the full measure of municipal services; and

14 WHEREAS, the Common Council has before it an ordinance (Bill No.
15 X-79-06-33) for the annexation of the K-Mart West annexation area, more
16 specifically described, to-wit:

17 Part of Sections 4 and 5, Township 30 North, Range 12
18 East, more particularly described as follows:

19 Beginning on the west line of Lot #4 Romys Sub. as
20 recorded in Plat Book 5, Page 6, and the north right-
21 of-way of Illinois Road; thence north on said west
22 line to the south right-of-way of the Penn-Central
23 Railroad; thence southeasterly along said right-of-way
24 to the north right-of-way of Illinois Road; thence
25 west along the north right-of-way line of Illinois
26 Road to the point of beginning; containing approximately
27 55 acres.

28 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY
29 OF FORT WAYNE, INDIANA:

30 SECTION 1. That in the case of the K-Mart West annexation it is the
31 policy of the City of Fort Wayne to follow the provisions of Common Council
32 Resolution No. with regard to the provision of non-capital and capital
33 services to the annexation area.

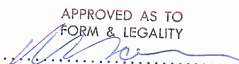
34 SECTION 2. That it is the policy of the City to follow the annexa-
35 tion fiscal plan for said described territory as prepared by the Department of
36 Community Development and Planning.

37 SECTION 3. That said plan sets forth cost estimates of the services
38 to be provided, the methods of financing these services, the plan for the

1 organization and extension of these services, delineates the non-capital
2 improvement services to be provided within one (1) year of annexation, the
3 capital improvement services to be provided within three (3) years of annexa-
4 tion, and the plan for hiring employees of other governmental entities whose
5 jobs will be eliminated by this annexation.

6 SECTION 4. Said plan is hereby approved and adopted by the Common
7 Council and shall be in force upon the effective date of the K-Mart West
8 annexation ordinance, Bill No. X-79-06-33.

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11 
12 _____
13 Councilman
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29 APPROVED AS TO
30 FORM & LEGALITY
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32 William N. Salin, City Attorney

Read the first time in full and on motion by _____, seconded by

V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 8-14-79

Charles W. Whitman
CITY CLERK

Read the third time in full and on motion by Stier,

seconded by Tolson, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>1</u>	_____	_____	_____
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
HUNTER	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NUCKOLS	_____	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 10-9-79

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. R-61-79 on the 9th day of October, 1979.

ATTEST: (SEAL)

Charles W. Whitman
CITY CLERK

Winfred C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1979, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Whitman
CITY CLERK

Approved and signed by me this 17 day of October, 1979 at the hour of 10 o'clock _____ M., E.S.T.

Robert E. Thompson
MAYOR

Handwritten signatures and stamps in blue and red ink, including a date stamp 'FEB 20 1980'.

Bill No. R-79-08-38

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance

A RESOLUTION of the Common Council setting forth the policy
of the City in regard to the annexation of K-Mart West

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

JAMES S. STIER - CHAIRMAN
WILLIAM T. HINGA - VICE CHAIRMAN
VIVIAN G. SCHMIDT
JOHN NUCKOLS
SAMUEL J. TALARICO

Handwritten signatures in blue ink:
William T. Hinga
Vivian G. Schmidt
John Nuckols
Samuel J. Talarico

10-9-79

CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION NO.

A RESOLUTION of the Common Council
setting forth the policy of the City
in regard to the annexation of K-Mart
West

WHEREAS, the annexation of territory to the City is a legislative function; and

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City, including newly annexed areas; and

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and

WHEREAS, the Common Council has before it an ordinance (Bill No. X-79-06-33) for the annexation of the K-Mart West annexation area, more specifically described, to-wit:

Part of Sections 4 and 5, Township 30 North, Range 12 East, more particularly described as follows:

Beginning on the west line of Lot #4 Romys Sub. as recorded in Plat Book 5, Page 6, and the north right-of-way of Illinois Road; thence north on said west line to the south right-of-way of the Penn-Central Railroad; thence southeasterly along said right-of-way to the north right-of-way of Illinois Road; thence west along the north right-of-way line of Illinois Road to the point of beginning; containing approximately 55 acres.

BE IT THEREFORE RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That in the case of the K-Mart West annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. with regard to the provision of non-capital and capital services to the annexation area.
2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.
3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.
4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the K-Mart West annexation ordinance, Bill No. X-79-06-33.

4578

DIGEST SHEET

Admn. Appr. _____

TITLE OF ORDINANCE K-Mart West Annexation Q-79-09-38DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Resolution clearly establishes a policy for providing
municipal services to the K-Mart West annexation area. It also explicitly links
the General Annexation Resolution, with the K-Mart West Fiscal Plan and annexation
ordinance.

EFFECT OF PASSAGE A definite policy is established for providing services to
K-Mart West and the City is more assured of being in compliance with Indiana annexation
law. (I.C. 18-5-10-25)

EFFECT OF NON-PASSAGE An unfavorable judge could be more likely to rule that
the K.-Mart West annexation does not meet the statutory requirements of I.C.18-5-10-25.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by the K-Mart West
Fiscal Plan.

ASSIGNED TO COMMITTEE (J.N.) Annexation